

REMARKS

Claim 8 has been objected to in the Office Action. Claim 8 has been amended.

Claim 2 has been rejected under 35 USC 112, first paragraph. Claim 2 has been amended accordingly.

Claims 1, 5-7, 9 and 11-14 have been rejected under 35 USC 102(e) as anticipated by Sharma. The rejection is respectfully traversed.

As noted in the previously filed responses, Sharma relates to broadcast of a teletext message to a mobile device. As illustrated, for example in Figures 5A-5E, the display of the mobile device displays teletext information related to a television broadcast. In order for the information to be displayed on the mobile device, a WAP server must decode the teletext information prior to transmission to the mobile device. Once the user selects a channel, the mobile station relays the request to the WAP server, which responds by sending the first page (i.e. page 100) of the selected channel to the mobile device. Only the page selected is delivered to the mobile station by the WAP server. The mobile station of Sharma may be configured to update page contents on demand (e.g. refresh) or a periodic basis (e.g. update page in a given time period). See, for example, col. 6, ln. 59 – col. 7, ln. 34. However, Sharma fails to disclose that the contents displayed on the mobile device are for continuous display. The claimed invention, as amended, requires that the data which represents textual contents of the related television program be continuously displayed. Sharma, on the other hand, does not continuously display data, but rather displays a single page of data until refreshed by the user (whether by selection, on demand, periodic or otherwise). Applicants note that WAP server 102 is continuously updated with the contents of the most recent teletext messages (col. 4, lns. 12-16), but not the mobile device itself, which requires some action on the part of the user to update or refresh the page. Support for this amendment may be found, for example, on page 5, lns. 12-14 of the specification.

Since the recited method is not disclosed by the applied prior art, claim 1 is patentable.

Claim 10 has been rejected under 35 USC 102(e) as anticipated by Marshall. The rejection is respectfully traversed.

Marshall is related to an interactive wagering system that promotes wagering to users via a set-top box, computer, cellular telephone with a display, or other such device. The display of

the selected device is capable of displaying video (e.g. racing video), as noted by the Examiner. However, the display does not at least partially represent textual contents of the television program, as required by the claim. More specifically, Marshall discloses that racing data may accompany the racing videos (col. 13, lns. 35-36). However, the racing data and other information displayed along with the racing video is related to the interactive wagering service, not related to contents of a television program. For example, claim 10 requires that the data transmitted to the mobile terminal is data which at least partially represents textual contents of the television program, not a wager related to the program. That is, in Marshall, the racing data is textual data that relates to a wager being made on the television program being viewed, it is not data about the television program itself (i.e. at least partially represents textual contents of the television program).

Since the recited structure is not disclosed by the applied prior art, claim 10 is patentable.

Claims 2-4 and 8 have been rejected under 35 USC 103(a) as unpatentable over Sharma in view of various combinations of Wegener, Sladek and Youngs. The rejection is respectfully traversed for at least the same reasons set forth with respect to the arguments of claim 1 above. Claims 2-4 and 8 are patentable at least for their dependency on independent claim 1.

In view of the above, Applicants submit that this application is in condition for allowance. An indication of the same is solicited. The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing, referencing Attorney Docket No. 112740-300.

Respectfully submitted,

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